

## III-12

**EIGHTH MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS OF THE AMERICAN REPUBLICS, PUNTA DEL ESTE, JANUARY 22-31, 1962: Final Act, Signed January 31, 1962 (Excerpt)** <sup>23</sup>

As a result of their deliberations, the Eighth Meeting of Consultation of Ministers of Foreign Affairs approved the following resolutions:

## I

COMMUNIST OFFENSIVE IN AMERICA <sup>24</sup>

1. The Ministers of Foreign Affairs of the American republics, convened in their Eighth Meeting of Consultation, declare that the continental unity and the democratic institutions of the hemisphere are now in danger.

The Ministers have been able to verify that the subversive offensive of communist governments, their agents and the organizations which they control, has increased in intensity. The purpose of this offensive is the destruction of democratic institutions and the establishment of totalitarian dictatorships at the service of extracontinental powers. The outstanding facts in this intensified offensive are the declarations set forth in official documents of the directing bodies of the international communist movement, that one of its principal objectives is the establishment of communist regimes in the underdeveloped countries and in Latin America; and the existence of a Marxist-Leninist government in Cuba which is publicly aligned with the doctrine and foreign policy of the communist powers.

2. In order to achieve their subversive purposes and hide their true intentions, the communist governments and their agents exploit the legitimate needs of the less-favored sectors of the population and the just national aspirations of the various peoples. With the pretext of defending popular interests, freedom is suppressed, democratic institutions are destroyed, human rights are violated and the individual is subjected to materialistic ways of life imposed by the dictatorship of a single party. Under the slogan of "anti-imperialism" they try to establish an oppressive, aggressive imperialism which subordinates the subjugated nations to the militaristic and aggressive interests of extracontinental powers. By maliciously utilizing the very principles of the inter-American system, they attempt to undermine democratic institutions and to strengthen and protect political penetration and aggression. The subversive methods of communist governments and their agents constitute one of the most subtle and dangerous forms of intervention in the internal affairs of other countries.

3. The Ministers of Foreign Affairs alert the peoples of the hemisphere to the intensification of the subversive offensive of communist

<sup>23</sup> OAS doc. OEA/Ser.C/II.8 (English), pp. 5-19. The meeting was convoked by a resolution of Dec. 4, 1961, of the Council of the Organization of American States; text in *American Foreign Policy: Current Documents, 1961*, pp. 323-324. The meeting was attended by the Foreign Ministers of the 21 American Republics.

<sup>24</sup> Adopted by a vote of 20-1 (Cuba).

governments, their agents, and the organizations that they control and to the tactics and methods that they employ and also warn them of the dangers this situation represents to representative democracy, to respect for human rights, and to the self-determination of peoples.

The principles of communism are incompatible with the principles of the inter-American system.

4. Convinced that the integrity of the democratic revolution of the American states can and must be preserved in the face of the subversive offensive of communism, the Ministers of Foreign Affairs proclaim the following basic political principles:

a. The faith of the American peoples in human rights, liberty, and national independence as a fundamental reason for their existence, as conceived by the founding fathers who destroyed colonialism and brought the American republics into being;

b. The principle of nonintervention and the right of peoples to organize their way of life freely in the political, economic, and cultural spheres, expressing their will through free elections, without foreign interference. The fallacies of communist propaganda cannot and should not obscure or hide the difference in philosophy which these principles represent when they are expressed by a democratic American country, and when communist governments and their agents attempt to utilize them for their own benefit;

c. The repudiation of repressive measures which, under the pretext of isolating or combatting communism, may facilitate the appearance or strengthening of reactionary doctrines and methods which attempt to repress ideas of social progress and to confuse truly progressive and democratic labor organizations and cultural and political movements with communist subversion;

d. The affirmation that communism is not the way to achieve economic development and the elimination of social injustice in America. On the contrary, a democratic regime can encompass all the efforts for economic advancement and all of the measures for improvement and social progress without sacrificing the fundamental values of the human being. The mission of the peoples and governments of the hemisphere during the present generation is to achieve an accelerated development of their economies and to put an end to poverty, injustice, illness, and ignorance as was agreed in the Charter of Punta del Este;<sup>25</sup> and

e. The most essential contribution of each American state in the collective effort to protect the inter-American system against communism is a steadily greater respect for human rights, improvement in democratic institutions and practices, and the adoption of measures that truly express the impulse for a revolutionary change in the economic and social structures of the American republics.

<sup>25</sup> Text in *American Foreign Policy: Current Documents, 1961*, pp. 395-409.

## II

SPECIAL CONSULTATIVE COMMITTEE ON SECURITY AGAINST THE  
SUBVERSIVE ACTION OF INTERNATIONAL COMMUNISM<sup>22</sup>

## WHEREAS:

International communism makes use of highly complex techniques of subversion in opposing, and in the task of counteracting such techniques which certain states may benefit from mutual advice and support;

The American states are firmly united for the common goal of fighting the subversive action of international communism and for the preservation of democracy in the Americas, as expressed in Resolution XXXII of the Ninth International Conference of American States,<sup>23</sup> held in Bogotá, in 1948, and that for such purpose they can and should assist each other, mainly through the use of the institutional resources of the Organization of American States; and

It is advisable, therefore, to make available to the Council of the Organization of American States a body of an advisory nature, made up of experts, the main purpose of which would be to advise the member governments which, as the case may be, require and request such assistance,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance,<sup>24</sup>

## RESOLVES:

1. To request the Council of the Organization of American States to maintain all necessary vigilance, for the purpose of warning against any acts of aggression, subversion, or other dangers to peace and security, or the preparation of such acts, resulting from the continued intervention of Sino-Soviet powers in this hemisphere, and to make recommendations to the governments of the member states with regard thereto.

2. To direct the Council of the Organization to establish a Special Consultative Committee on Security, composed of experts on security matters, for the purpose of advising the member states that may desire and request such assistance, the following procedures being observed:

a. The Council of the Organization shall select the membership of the Special Consultative Committee on Security from a list of candidates presented by the governments, and shall define immediately terms of reference for the Committee with a view to achieving the full purposes of this resolution.

b. The Committee shall submit reports to such member states as may request its assistance; however, it shall not publish these reports

<sup>22</sup> Adopted by a vote of 19-1 (Cuba), with 1 abstention (Bolivia).

<sup>23</sup> Text in *Ninth International Conference of American States, Bogotá, Colombia, March 30-May 2, 1948: Report of the Delegation of the United States and Related Documents* (Department of State publication 3263), pp. 266-267.

<sup>24</sup> Text in *American Foreign Policy, 1950-1955: Basic Documents*, pp. 789-796.

without obtaining express authorization from the state dealt with in the report.

c. The Special Consultative Committee on Security shall submit to the Council of the Organization, no later than May 1, 1962, an initial general report, with pertinent recommendations regarding measures which should be taken.<sup>29</sup>

d. The Committee shall function at the Pan American Union, which shall extend to it the technical, administrative, and financial facilities required for the work of the Committee.

e. The Committee shall function for the period deemed advisable by the Council of the Organization.

3. To urge the member states to take those steps that they may consider appropriate for their individual or collective self-defense, and to cooperate, as may be necessary or desirable, to strengthen their capacity to counteract threats or acts of aggression, subversion, or other dangers to peace and security resulting from the continued intervention in this hemisphere of Sino-Soviet powers, in accordance with the obligations established in treaties and agreements such as the Charter of the Organization of American States<sup>30</sup> and the Inter-American Treaty of Reciprocal Assistance.

### III

#### REITERATION OF THE PRINCIPLES OF NONINTERVENTION AND SELF-DETERMINATION<sup>31</sup>

##### WHEREAS:

This Meeting has been convoked by a resolution of the Council of the Organization of American States that invoked Article 6 of the Inter-American Treaty of Reciprocal Assistance;

It is necessary to maintain the principles of nonintervention and self-determination set forth in the Charter of the Organization of American States, because these principles are a basic part of the juridical system that governs relations among the republics of the hemisphere and makes friendly relations among them possible;

In the Charter of the Organization of American States and in the Declaration of Santiago, signed in August 1959,<sup>32</sup> all the governments of the American states agreed voluntarily that they should result from free elections;

The will of the people, expressed through unrestricted suffrage, assures the formation of governments that represent more faithfully and without yielding to the interests of a privileged few the basic aspirations to freedom and social justice, the constant need for economic progress, and the call of brotherhood that all our peoples feel throughout the hemisphere;

<sup>29</sup> See post, doc. III-30.

<sup>30</sup> Text in *A Decade of American Foreign Policy: Basic Documents, 1941-1949*, pp. 427-445.

<sup>31</sup> Adopted by a vote of 20-1 (Cuba).

<sup>32</sup> Text in *American Foreign Policy: Current Documents, 1959*, pp. 361-362.

Formation by free elections of the governments that comprise the Organization of American States is therefore the surest guarantee for the peace of the hemisphere and the security and political independence of each and every one of the nations that comprise it; and

Freedom to contract obligations is an inseparable part of the principle of the self-determination of nations, and consequently a request by one or more countries that such obligations be complied with does not signify intervention,

The Eighth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance

RESOLVES:

1. To reiterate its adherence to the principles of self-determination and nonintervention as guiding standards of relations among the American nations.

2. To urge that the governments of the member countries of the Organization of American States, bearing in mind the present situation, and complying with the principles and aims set forth in the Charter of the Organization and the Declaration of Santiago, organize themselves on the basis of free elections that express, without restriction, the will of the people.

#### IV

#### HOLDING OF FREE ELECTIONS \*

WHEREAS:

The preamble to the Charter of the Organization of American States proclaims that the true significance of American solidarity and good neighborliness can only mean the consolidation on this hemisphere, within the framework of democratic institutions, of a system of individual liberty and social justice based on respect for the essential rights of man;

The same Charter reaffirms, among its principles, the requirement that the political organization of the American states be based on the effective exercise of representative democracy, even as it reasserts the fundamental rights of the individual;

The Charter confirms the right of each state to develop, freely and naturally, its cultural, political, and economic life, while respecting in this free development the rights of the individual and the principles of universal morality;

The Inter-American Treaty of Reciprocal Assistance affirms as a manifest truth, that juridical organization is a necessary prerequisite of security and peace, and that peace is founded on justice and moral order and, consequently, on the international recognition and protection of human rights and freedoms, on the indispensable well-being of the people, and on the effectiveness of democracy for the international realization of justice and security; and

\* Adopted by a vote of 20-1 (Cuba).

According to the principles and attributes of the democratic system in this hemisphere, as stated in the Declaration of Santiago, Chile, the governments of the American republics should be the result of free elections, and perpetuation in power, or the exercise of power without a fixed term and with the manifest intent of perpetuation, is incompatible with the effective exercise of democracy,

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**RESOLVES:**

To recommend that the governments of the American states whose structure or acts are incompatible with the effective exercise of representative democracy hold free elections in their respective countries, as the most effective means of consulting the sovereign will of their peoples, to guarantee the restoration of a legal order based on the authority of the law and respect for the rights of the individual.

## V

### ALLIANCE FOR PROGRESS\*

#### WHEREAS:

The American states have the capacity to eradicate the profound evils of economic and social underdevelopment;

Resolution XI of the Fifth Meeting of Consultation of Ministers of Foreign Affairs<sup>25</sup> and Resolution V of the Seventh Meeting of Consultation of Ministers of Foreign Affairs<sup>26</sup> declare that economic cooperation among the American states is necessary for the stability of democracy and the safeguarding of human rights, and that such cooperation is essential to the strengthening of the solidarity of the hemisphere and the reinforcement of the inter-American system in the face of threats that might affect it; and

In view of the fact that all the nations of the Americas have recognized their urgent need for economic and social development, it is necessary that they intensify immediately their self-help and cooperative efforts under the Alliance for Progress and the Charter of Punta del Este, on the basis of the adoption of vigorous reforms and large-scale internal efforts by the developing countries concerned and a mobilization of all the necessary financial and technical resources by the highly developed nations,

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#### DECLARES:

1. That the preservation and strengthening of free and democratic institutions in the American republics require, as an essential condition, the prompt, accelerated execution of an unprecedented effort to

\* Adopted by a vote of 20-1 (Cuba).

<sup>25</sup> Text in *American Foreign Policy: Current Documents, 1959*, p. 369.

<sup>26</sup> Text in OAS doc. OEA/Ser.F/11.7.

promote their economic and social development for which effort the public and private, domestic and foreign financial resources necessary to those objectives are to be made available, economic and social reforms are to be established, and every necessary internal effort is to be made in accordance with the provisions of the Charter of Punta del Este.

2. That it is essential to promote energetically and vigorously the basic industries of the Latin American countries, to liberalize trade in raw materials by the elimination of undue restrictions, to seek to avoid violent fluctuations in their prices, to encourage the modernization and expansion of services in order that industrialization may rest on its own appropriate bases, to mobilize unexploited natural resources in order to increase national wealth and to make such increased wealth available to persons of all economic and social groups, and to satisfy quickly, among other aspirations, the needs for work, housing, land, health, and education.

## VI

### EXCLUSION OF THE PRESENT GOVERNMENT OF CUBA FROM PARTICIPATION IN THE INTER-AMERICAN SYSTEM<sup>7</sup>

#### WHEREAS:

The inter-American system is based on consistent adherence by its constituent states to certain objectives and principles of solidarity, set forth in the instruments that govern it;

Among these objectives and principles are those of respect for the freedom of man and preservation of his rights, the full exercise of representative democracy, nonintervention of one state in the internal or external affairs of another, and rejection of alliances and agreements that may lead to intervention in America by extracontinental powers;

The Seventh Meeting of Consultation of Ministers of Foreign Affairs, held in San José, Costa Rica, condemned the intervention or the threat of intervention of extracontinental communist powers in the hemisphere and reiterated the obligation of the American states to observe faithfully the principles of the regional organization;<sup>8</sup>

The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental communist powers, including even the threat of military intervention in America on the part of the Soviet Union;

The Report of the Inter-American Peace Committee to the Eighth Meeting of Consultation of Ministers of Foreign Affairs<sup>9</sup> establishes that:

<sup>7</sup> Adopted by a vote of 14-1 (Cuba) with 6 abstentions (Argentina, Bolivia, Brazil, Chile, Ecuador, Mexico). For a statement by the Secretary of State (Rusk) on this vote, see the Department of State *Bulletin*, Feb. 19, 1962, p. 277.

<sup>8</sup> See *American Foreign Policy: Current Documents, 1960*, pp. 219-220.

<sup>9</sup> *Ibid.*, doc. III-9.

The present connections of the Government of Cuba with the Sino-Soviet bloc of countries are evidently incompatible with the principles and standards that govern the regional system, and particularly with the collective security established by the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance;

The abovementioned Report of the Inter-American Peace Committee also states that:

It is evident that the ties of the Cuban Government with the Sino-Soviet bloc will prevent the said government from fulfilling the obligations stipulated in the Charter of the Organization and the Treaty of Reciprocal Assistance;

Such a situation in an American state violates the obligations inherent in membership in the regional system and is incompatible with that system;

The attitude adopted by the present Government of Cuba and its acceptance of military assistance offered by extracontinental communist powers breaks down the effective defense of the inter-American system; and

No member state of the inter-American system can claim the rights and privileges pertaining thereto if it denies or fails to recognize the corresponding obligations,

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DECLARES:

1. That, as a consequence of repeated acts, the present Government of Cuba has voluntarily placed itself outside the inter-American system.

2. That this situation demands unceasing vigilance on the part of the member states of the Organization of American States, which shall report to the Council any fact or situation that could endanger the peace and security of the hemisphere.

3. That the American states have a collective interest in strengthening the inter-American system and reuniting it on the basis of respect for human rights and the principles and objectives relative to the exercise of democracy set forth in the Charter of the Organization; and, therefore

RESOLVES:

1. That adherence by any member of the Organization of American States to Marxism-Leninism is incompatible with the inter-American system and the alignment of such a government with the communist bloc breaks the unity and solidarity of the hemisphere.

2. That the present Government of Cuba, which has officially identified itself as a Marxist-Leninist government, is incompatible with the principles and objectives of the inter-American system.

3. That this incompatibility excludes the present Government of Cuba from participation in the inter-American system.

4. That the Council of the Organization of American States and the other organs and organizations of the inter-American system adopt without delay the measures necessary to comply with this resolution.



## VII

## INTER-AMERICAN DEFENSE BOARD\*

## WHEREAS:

The Inter-American Defense Board was established pursuant to Resolution 39 of the Third Meeting of Consultation of Foreign Ministers, held in Rio de Janeiro in 1942,<sup>41</sup> recommending the immediate meeting of a commission composed of military and naval technicians appointed by each of the governments to study and to suggest to them measures necessary for the defense of the hemisphere;

The Inter-American Defense Board, on April 26, 1961, resolved that the participation of the Cuban regime in defense planning is highly prejudicial to the work of the Board and to the security of the hemisphere; "and

The present Government of Cuba is identified with the aims and policies of the Sino-Soviet bloc.

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## RESOLVES:

To exclude immediately the present Government of Cuba from the Inter-American Defense Board until the Council of the Organization of American States shall determine by a vote of two thirds of its members that membership of the Government of Cuba is not prejudicial to the work of the Board or to the security of the hemisphere.

## VIII

## ECONOMIC RELATIONS\*

## WHEREAS:

The Report of the Inter-American Peace Committee to the Eighth Meeting of Consultation of Ministers of Foreign Affairs states, with regard to the intense subversive activity in which the countries of the Sino-Soviet bloc and the Cuban Government are engaged in America, that such activity constitutes "a serious violation of fundamental principles of the inter-American system"; "and,

During the past three years 13 American states have found it necessary to break diplomatic relations with the present Government of Cuba,"

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\* Adopted by a vote of 20-1 (Cuba).

<sup>41</sup> Text in the Department of State *Bulletin*, Feb. 7, 1942, pp. 139-140.

<sup>42</sup> See *American Foreign Policy: Current Documents, 1961*, p. 806.

<sup>43</sup> Adopted by a vote of 16-1 (Cuba), with 4 abstentions (Brazil, Chile, Ecuador, Mexico).

<sup>44</sup> *Ann.*, doc. III-9.

<sup>45</sup> Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru, United States, and Venezuela. Argentina broke relations with Cuba Feb. 8, 1962.

**RESOLVES:**

1. To suspend immediately trade with Cuba in arms and implements of war of every kind.

2. To charge the Council of the Organization of American States, in accordance with the circumstances and with due consideration for the constitutional or legal limitations of each and every one of the member states, with studying the feasibility and desirability of extending the suspension of trade to other items, with special attention to items of strategic importance.

3. To authorize the Council of the Organization of American States to discontinue, by an affirmative vote of two thirds of its members, the measure or measures adopted pursuant to the preceding paragraphs, at such time as the Government of Cuba demonstrates its compatibility with the purposes and principles of the system.

**IX****REVISION OF THE STATUTE OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS****WHEREAS:**

The Fifth Meeting of Consultation of Ministers of Foreign Affairs, by Resolution VIII," created the Inter-American Commission on Human Rights, and charged it with furthering respect for human rights in the American states;

Notwithstanding the noble and persevering effort carried on by that Commission in the exercise of its mandate, the inadequacy of the faculties and attributions conferred upon it by its Statute have made it difficult for the Commission to fulfill its assigned mission;

There is a pressing need for accelerating development in the hemisphere of the collective defense of human rights, so that this development may result in international legal protection of these rights; and

There is an obvious relation between violations of human rights and the international tensions that work against the harmony, peace, and unity of the hemisphere,

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**RESOLVES:**

To recommend to the Council of the Organization of American States that it revise the Statute of the Inter-American Commission on Human Rights, broadening and strengthening the Commission's attributes and faculties to such an extent as to permit it effectively to further respect for these rights in the countries of the hemisphere.

\* Adopted by a vote of 19-1 (Cuba) with 1 abstention (Uruguay).

\* Text in *American Foreign Policy: Current Documents, 1959*, pp. 367-368.

## STATEMENTS

## STATEMENT OF HONDURAS

Honduras wishes to have the explanation of the position it adopted in voting for Resolution VI, Exclusion of the Present Government of Cuba from Participation in the Inter-American System, recorded in the Final Act.

With regard to the observations of a juridical nature made by several distinguished foreign ministers, Honduras maintains the existence of sufficient bases in the letter and in the spirit of the treaties and conventions of the regional system.

In the last analysis, however, in view of the threat to the peace and security of the hemisphere, in view of the threat to the dignity and freedom of the inhabitants of the Americas, and in view of the political presence of the Soviet Union in America, the Delegation of Honduras, aware of the juridical doubt that might arise, has not hesitated to give the benefit of the doubt to the defense of democracy in America.

## STATEMENT OF ARGENTINA

In view of the statement made by the Representative of Uruguay at the second plenary session, held on January 31, 1962, the Delegation of Argentina wishes to record that it reiterates the juridical views expressed by Dr. Miguel Angel Cárcano, Minister of Foreign Affairs and Worship, at the ninth session of the General Committee, in explanation of his vote on Resolution VI of this Final Act.

## STATEMENT OF COLOMBIA

The position of Colombia has been defined in the two statements that will be shown in the minutes of the second plenary session of this Eighth Meeting of Consultation, and that refer to general policy and to Resolution VI.

## STATEMENT OF MEXICO

The Delegation of Mexico wishes to make it a matter of record in the Final Act of the Eighth Meeting of Consultation of Ministers of Foreign Affairs, that, in its opinion, the exclusion of a member state is not juridically possible unless the Charter of the Organization of American States is first amended pursuant to the procedure established in Article 111.

## STATEMENT OF HAITI

My country is proud to have participated in these discussions, which have taken place in an atmosphere of calm, of courtesy, and of mutual respect.

Haiti came to Punta del Este with the firm intention of defending the principles of nonintervention and self-determination of peoples with all that they imply. Haiti remains firmly attached to these in-

tangible principles, which guarantee an order of mutual respect in relations among peoples of different languages and cultures.

Here Haiti has become persuaded that "the fallacies of communist propaganda cannot and should not obscure or hide the difference in philosophy which these principles represent when they are expressed by a democratic American country, and when communist governments and their agents attempt to utilize them for their own benefit."

This is the sole reason for the change in the position and attitude of my country, which is honored to have had a modest part in resolving a problem which jeopardized the peace, the solidarity, and the unity of the hemisphere.

#### STATEMENT OF ECUADOR

The Delegation of Ecuador wishes to state in the record that the exclusion of a member state from the inter-American system could only be accomplished through the prior amendment of the Charter of the Organization of American States to grant the power to exclude a state.

The Charter is the constitutional juridical statute that prevails over any other inter-American instrument.

With respect to Resolution VIII, Ecuador abstained from voting, inasmuch as sanctions are being applied, by invoking the Treaty of Reciprocal Assistance, sanctions that begin with the suspension of traffic in arms with the possibility of being extended to other items, with special attention to items of strategic importance, a concept that might include basic necessities of which the Cuban people should not be deprived and thus make the present situation more critical.

Of course, Ecuador, as a peace-loving country, reaffirms its faith in peaceful methods to settle controversies between states and condemns illegal traffic in arms.

#### STATEMENT OF BRAZIL

In view of the statement made by the Representative of Uruguay at the plenary session held on January 31, 1962, the Delegation of Brazil reaffirms the validity of the juridical bases of the position taken by its country with respect to Resolution VI of the Eighth Meeting of Consultation, which position was explained at length by the Minister of Foreign Affairs of Brazil in statements made at the sessions of the General Committee held on January 24 and 30, 1962.

#### STATEMENT OF URUGUAY

The Delegation of Uruguay wishes to state in the record that, in adopting its position in the Eighth Meeting of Consultation, far from violating or forgetting the juridical standards applicable to the Cuban case, it adhered strictly to them, as befits its old and honorable tradition of being a defender of legality. The bases for this position were explained at the plenary session held on January 31, as will be shown in the minutes of that session.